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Just a 'Washington Fuss'?

Those who watch government grow and see its functions touch more intimately the lives of individuals are likely to be struck by the truism that government will be no better than the people it employs.

Standards must be very high and administrative procedures very strict. Even when they are, such enormities as the arrest of 70 persons in New York City for giving or receiving tax bribes still occur.

A single case sometimes emerges to illustrate and ventilate attitudes which persist in government employment. Unlike the New York Internal Revenue employes, this case does not involve formal criminal charges. It involves what one official calls "just another Washington fuss."

The "fuss" is over the employment by the Federal Communications Commission of a State Department employe accused of lying to a Senate subcommittee in a matter of considerable substance. With the heat on, John F. Reilly resigned his State Department job following his wrangle with the committee. He found refuge as a trial lawyer in the FCC at a base salary of \$17,000.

Reilly admitted to the Senate Internal Security committee that he had made untrue statements under oath to the same committee in the case of Otto F. Otepka, a State Department security officer. Otepka himself is under suspension in the State Department for having supplied to this committee truthful information on sloppy security clearance procedures in the State Department.

Having told the truth and

cooperated with the committee's attempt to pinpoint the sloppy procedures, Otepka was marked for bureaucratic destruction. In the process, his wastebaskets were searched, he was banished from his desk, and his telephone was tapped. The latter act was believed to have been ordered by Reilly, an associate of Otepka's in security clearance work, but when first called before the subcommittee Reilly denied it.

After Senate investigators collected a little more information, Reilly was called before the committee again. He then testified that he had not told the whole truth in the first instance and, in fact, had ordered the listening device on Otepka's telephone and stood by while it was installed. One of his associates testified that Reilly actually knew that recordings were made of Otepka's telephone conversations.

The chairman of the subcommittee, Sen. Thomas J. Dodd, D-Conn., spoke of this on the Senate floor as "perjury."

In justifying the employment of Reilly, FCC Chairman William E. Henry said: "I felt it was a question of judgment rather than a question of perjury. There were certainly some questions of judgment raised by Reilly's denials that he knew a listening device had been placed on Otepka's telephone."

"However, I was told by the personnel office that Reilly was an able trial lawyer and had a good record up to this case. I didn't believe that the judgment questions raised about Reilly in connection with the Otepka case would interfere with his doing a good job

as a trial attorney in the Federal Communications Commission."

It should be brought into focus that the Otepka case, however little it may be known to the general public, is the sticking point on the issue of whether or not the State Department, in an over-compensated reaction to the McCarthyism of 15 years ago, has become dangerously lax in preventing the employment of security risks and weeding them out if they are unknowingly employed.

Secretary Rusk, on the ground of sustaining the morale of his department, has, in effect, supported procedures against Otepka which led to the tapping of his telephone and bureaucratic ostracism as punishment for having cooperated with the Senate subcommittee.

So, this is somewhat more than "just another Washington fuss," as one of the FCC commissioners commented in sweet innocence when asked to explain why Reilly was hired.

What happened was that a man who had fronted for the Department of State in a very sticky situation in Congress landed on his feet in another department, a department holding life and death powers over the multi-billion dollar communications industry.

This is the kind of bureaucratic solidarity which tends to perpetuate bad practices in government—in this case in the very sensitive and vital area of internal security.

But the matter is not ended and when Congress returns more justification will be sought for the rescue of Reilly.

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